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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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FREDERICK O. TRAINER,

Plaintiff,

*versus*

T. C. OUTLAW, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:08-CV-565

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Frederick O. Trainer, a federal prisoner previously confined in Beaumont, Texas, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against T. C. Outlaw, R. T. Gravette, D. Gonzales, Janson, D. Hill, D. Bergeron, Landry, Dickerson, Odom, Matt Christopher, and an unidentified defendant.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the claims against defendants Dickerson, Odom and Landry without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A partial judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 9th day of September, 2010.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE